

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☐ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.

76



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/816,777	03/22/2001	Kunihiko Miyazaki	16869P-018300US	5490
20350	7590	08/24/2004	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			JUNG, DAVID YIUK	
			ART UNIT	PAPER NUMBER
			2134	

DATE MAILED: 08/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/816,777

Applicant(s)

MIYAZAKI

Examiner

David Y Jung

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/28/2003
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claims Presented

Claims 1-40 are presented.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over VM (cited by Applicant, "Clear, Secure, and Portable Visual Marks for the Cyber World").

In regard to claim 1, VM teaches a method for validating a restored message, comprising: generating an entry in a signature ... for a message, wherein said entry comprises cryptographic information associated with said message; when said message is lost, generating said restored message responsive to a request; and validating said restored message using said signature (page 4/8 and page 5/8, Visual Marks, which shows extraction, i.e. the such signature and validation are handled through such extraction).

These passages of VM do not explicitly use the term "log" in the sense of the claim. Instead, these passages of VM note the hash.

It was well known in the art to use hash in an orderly fashion so as to keep a record of data (e.g., indexing) for the motivation of getting easier access to information.

It would have been obvious to those of ordinary skill in the art, at the time of the claimed invention, to modify the teachings of VM so as to teach the cited features of the claimed invention (and thereby teach the claimed invention) for the motivation stated in the previous sentences.

Regarding claim 2 (hysteresis etc.), claim 3 (digital, etc.), claim 4 (previous entry, etc.), these features are well known in the art of signatures for the motivation of secure tracking of data and of usage.

In regard to claim 5, VM teaches a system for recovering and validating user information, comprising: a user system comprising a signature ..., said signature ... comprising cryptographic information associated with said user information; a recovery system coupled with said user system via a communications network for restoring user information; and a validity system coupled with said user system via said communications network for validating restored user information using said signature (page 4/8 and page 5/8, Visual Marks, which shows extraction, i.e. the such signature and validation are handled through such extraction).

These passages of VM do not explicitly use the term "log" in the sense of the claim. Instead, these passages of VM note the hash.

It was well known in the art to use hash in an orderly fashion so as to keep a record of data (e.g., indexing) for the motivation of getting easier access to information.

It would have been obvious to those of ordinary skill in the art, at the time of the claimed invention, to modify the teachings of VM so as to teach the cited features of the claimed invention (and thereby teach the claimed invention) for the motivation stated in the previous sentences.

Regarding claims 6-9, such various message and entry and signature handlings are well known in the art of signatures for the motivation of secure tracking of data and of usage. Regarding claims 10-39, such various message and entry and signature handlings are well known in the art of signatures for the motivation of secure tracking of data and of usage.

In regard to claim 40, VM teaches a computer data signal embodied in a carrier wave for validating a restored message, comprising: program code for generating an entry in a signature .. for a message, wherein said entry comprises cryptographic information associated with said message; when said message is lost, program code for generating said restored message responsive to a request; and program code for validating said restored message using said signature (page 4/8 and page 5/8, Visual Marks, which shows extraction, i.e. the such signature and validation are handled through such extraction).

These passages of VM do not explicitly use the term "log" in the sense of the claim. Instead, these passages of VM note the hash.

It was well known in the art to use hash in an orderly fashion so as to keep a record of data (e.g., indexing) for the motivation of getting easier access to information.

Art Unit: 2134

It would have been obvious to those of ordinary skill in the art, at the time of the claimed invention, to modify the teachings of VM so as to teach the cited features of the claimed invention (and thereby teach the claimed invention) for the motivation stated in the previous sentences.

Conclusion

The art made of record and not relied upon is considered pertinent to applicant's disclosure. The art disclosed general background

Points of Contact

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 746-7239, (for formal communications intended for entry)

Or:

Art Unit: 2134

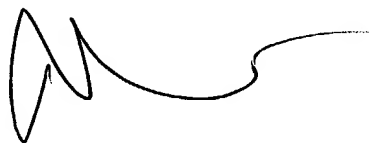
(703) 746-5606 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Jung whose telephone number is (703) 308-5262 or Greg Morse whose telephone number is (703) 308-4789.

David Jung

Patent Examiner

A handwritten signature in black ink, consisting of a stylized 'D' followed by a series of loops and a long horizontal stroke.

8/23/04